IN THE HIGH COURT OF JUDICATURE AT BOMBAY

CRIMINAL APPELLATE JURISDICTION

CRIMINAL APPLN.NO.2954 OF 2006

Steel Tubes of India Ltd.
and Ors. ..Applicants

Vs.

Ispat Industries Ltd. and
Ors. ..Respondents

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Mr.A.Z.Mookhtiar Advocate for Applicants
Mr.S.P.Ramaiya Advocates for Respondents
Mr.A.R.Patil APP for the State

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CORAM: SMT.V.K.TAHILRAMANI,J.
DATE : DECEMBER 5, 2007

P.C.

1. Leave to amend is granted. Amendment to be carried out forthwith.

2. Heard the learned advocate for the petitioner-original accused, the learned advocate for the respondent no.1 and the learned A.P.P. for the State.

3. The petitioner-original accused is arraigned as an accused no.1 in a Criminal Complaint filed by the Respondent No.1 under section 138 of the

Negotiable Instruments Act. The said case is numbered as S.C.C.No.1252 of 1999 and is pending before the learned Judicial Magistrate F.C. CBD Belapur, Navi Mumbai. In the said case, the learned Magistrate by order dated 7.2.2006, ordered *de novo* trial. The said order has been challenged in the present application. It is an admitted fact that during the pendency of this application in this Court, an application for compounding of the offence was preferred by the parties before the learned Magistrate as the disputed amount has been paid to the complainant. Looking to the fact that the parties have settled the disputes among themselves, I am inclined to grant permission for quashing the said case. Accordingly, the proceedings relating to SCC No. 1252 of 1999 pending before the learned Judicial Magistrate F.C. CBD Belapur, Navi Mumbai, are quashed.

4. Application is disposed of.

[SMT.V.K.TAHILRAMANI, J.]